

In the application of: Montgomery, Jr.  
Serial No.10/657,397  
Filed: September 8, 2003

RESPONSE TO NON-FINAL OFFICE ACTION OF MAY 19, 2004

-4-

This listing of claims will replace all prior versions and listings of claims in this patent application.

**Listing of Claims**

**Claims 1-21 cancelled**

22. (New) A protective wear sleeve for a bit holder of a cutting tool assembly wherein the wear sleeve comprises:

an elongate body having an axial forward end and an axial rearward end;  
the elongate body having a solid enlarged diameter portion adjacent to the axial forward end thereof and a split portion beginning at and extending in an axial forward direction from the rearward end wherein the split portion contains a slot so that the split portion is flexible in a radial direction, and a solid intermediate portion being between and contiguous with the enlarged diameter portion and the split portion;

the split portion having an external surface that is uniform, and the intermediate portion having an external surface that is uniform wherein the diameter of the external surface of the split portion is equal to the diameter of the surface of the intermediate portion; and

when the wear sleeve is in the central bore, the external surface of the split portion is biased in a radial outward direction against the central bore of the bit holder so as to retain the wear sleeve in the central bore of the bit holder.

23. (New) The protective wear sleeve of claim 22 wherein the split portion extends for less than one-half of the axial length of the elongate body.

24. (New) The protective wear sleeve of claim 22 wherein the enlarged diameter portion comprises a collar for protecting the bit holder from axial forces applied to the cutting tool.

25. (New) The protective wear sleeve of claim 22 wherein the elongate body has a generally cylindrical geometry.